

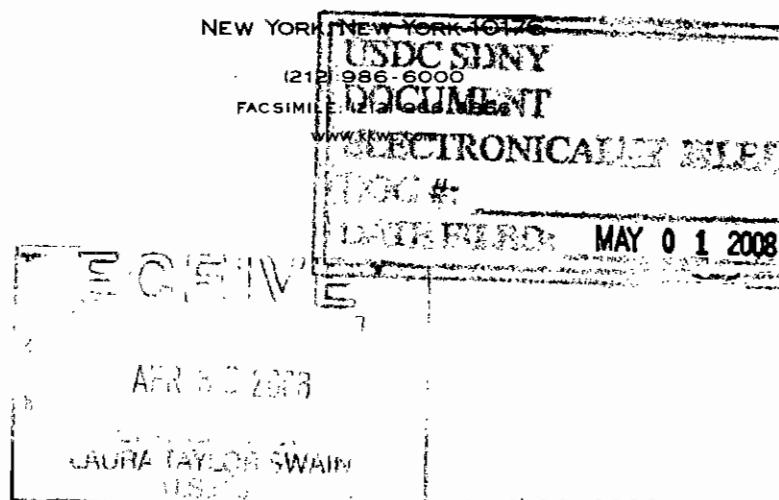
KLEINBERG, KAPLAN, WOLFF & COHEN, P.C.

ATTORNEYS AT LAW

FREDRIC A. KLEINBERG
 MYRON KAPLAN
 NORRIS D. WOLFF
 JAMES R. COHEN
 STEPHEN M. SCHULTZ
 DAVID PARKER
 JEFFREY S. BORTNICK
 MARTIN D. SKLAR
 JAMES R. LEDLEYA
 PHILIP S. GROSS+
 CHRISTOPHER P. DAVIS
 LAWRENCE O. HUI
 ANDREW M. CHONOLES
 ERIC S. WAGNER
 ROSS L. YUSTIN+
 SHARON M. TOMAO
 ROBERT S. SCHNEIDER
 MAX KARPEL
 Direct Dial: 212.880.9880
 E-Mail: DParker@KKWC.com

551 FIFTH AVENUE
 NEW YORK, NEW YORK 10019
 (212) 880-6000
 FACSIMILE:

MAURICE S. SPANBOCK
 BRUCE D. STEINER+
 ROBERT L. BERMANA
 MATTHEW J. GOLD
 LODI F. KRIEGER+
 OF COUNSEL
 JAMES I. RAPP
 MARC R. ROSEN+A
 GEORGETTE MILLER+
 JASON P. GRUNFELD
 JAMIE L. NASH
 VANA VUJIC
 MONIKA JAIN
 KELLY E. ZELEZEN
 DAVID Y. PARK
 SOFIA S. TSYTSAREV
 DANIELLE A. ROTHMAN
 CHRIS M. TERRY+
 JASON DIENER+
 + ALSO ADMITTED IN NJ
 A ALSO ADMITTED IN FL
 A ALSO ADMITTED IN DC
 * ADMITTED ONLY IN NJ & PA
 # ADMITTED ONLY IN HI



April 30, 2008

MEMO ENDORSEDBy Hand Delivery

Hon. Laura T. Swain
 United States District Court
 Southern District of New York
 United States Courthouse
 500 Pearl Street
 New York, New York 10007-1312

re: **UniCredito Italiano SpA, et al. v. JPMorgan Chase Bank, et al., No. 02 Civ. 5328 (LTS) (JCF) ("UniCredito")**

DK Acquisition Partners, L.P., et al. v. JPMorgan Chase & Co., et al., No. 08 Civ. 0446 (LTS) (JCF) ("DK")

Avenue Capital Management II, L.P., et al. v. J.P. Morgan Chase & Co., et al., No. 08 Civ. 0447 (LTS) (JCF) ("Avenue Capital")

Dear Judge Swain:

On behalf of the Plaintiffs in the above-captioned cases, we respectfully request that Plaintiffs be permitted to file under seal the papers they served Monday, April 28 yesterday in opposition to Defendants' Motion for Summary Judgment (Item 3.3 on the parties' Preconference Statement dated April 26, 2008), as follows:

Plaintiffs' Joint Memorandum in Opposition to Summary Judgment on Loss Causation

Plaintiffs' Joint Response to Defendants' Statement of Material Facts Pursuant to Local Rule 56.1 and Statement of Additional Material Facts in Opposition to Summary Judgment

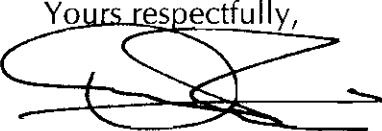
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Hon. Laura T. Swain
April 30, 2008
Page 2

Affidavit of James B. Heaton, III in Support of Plaintiffs' Joint Statement of Material Facts Pursuant to Local Rule 56.1

Plaintiffs request that these documents be filed under seal because they include and/or contain material from documents and testimony that has been designated by the Defendants or Enron as Confidential or Highly Confidential.

I have conferred with counsel for the Defendants and Enron, and they have consented to this request.

Yours respectfully,


David Parker
Counsel for DK Plaintiffs

cc: David Woll (by email)
Alan C. Turner (by email)
Counsel for JPMorgan Chase Defendants

Michael E. Gertzman (by email)
H. Seiji Newman (by email)
Counsel for Citigroup Defendants

Clifton Elgarten (by email)
Counsel for Enron

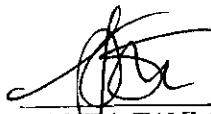
Charles G. Berry (by email)
Robert Goodman (by email)
Counsel for UniCredito Plaintiffs

J.B. Heaton (by email)
Counsel for DK Plaintiffs

David A. Barrett (by email)
Counsel for Avenue Capital Plaintiffs

*The request is granted.
Courtney copies shall be
provided for chambers.*

SO ORDERED.

 5/1/08
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE